

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
MASAHIKO KUBOTA ET AL.) : Examiner: Ms. Cynthia Hamilton
Application No.: 10/615,289) : Group Art Unit: 1752
Filed: July 9, 2003) : Confirmation No. 7060
For: METHOD FOR PRODUCING)
FINE STRUCTURED MEMBER, :
METHOD FOR PRODUCING)
FINE HOLLOW STRUCTURED :
MEMBER AND METHOD FOR)
PRODUCING LIQUID :
DISCHARGE HEAD) : October 25, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
DATED AUGUST 29, 2007 AND PETITION FOR EXTENSION OF TIME

Sir:

In an Office Action dated October 1, 2004, issued in this application, many of the claims were designated as being allowable. Applicants filed an Amendment dated January 3, 2005 in response to which the Patent Office issued a Notice of Non-Compliant Amendment on March 15, 2005. Applicants filed a Response to that Notice on April 15, 2005 to correct matters of form referred to in the Notice. Subsequently, the file was apparently lost in the PTO, and over two years later a Second Notice of Non-Compliant Amendment, dated May 31, 2007 was issued.

The objection referred to in that Notice was responded to on June 8, 2007. Now a third Notice has been received, incorrectly stating that amended paragraphs do not include markings, and state that corrected drawings did not include the legend "Replacement Sheets".

First, this is to point out that the amended paragraphs do in fact include markings as indicated on the last four pages of the 22 page electronic transmission dated June 8, 2007. In this regard, there is no paper showing corrections to the Abstract, since there were no changes made to the Abstract except to join two paragraphs as one, as stated in the Amendment.

With regard to the drawings, Applicants have not yet submitted Replacement Drawings. Instead, Applicants submitted a document entitled Request for Approval of Drawing Amendments and included marked-up copies of certain drawings indicating amendments to be made thereto. Assuming that the Examiner has authorized those changes by virtue of the objection that no "Replacement Sheet" has been filed, such Replacement Sheets are being filed herewith.

Applicants hereby petition for a one month extension of time to respond to the Notice, and note that the requisite fee is being paid electronically herewith.

For all of these reasons Applicants believe that the application is now in condition for allowance, wherefore the issuance of a Notice of Allowance is solicited.

Applicants' undersigned attorney may be reached in our New York by telephone at (212) 218-2100. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/John A. Krause/
John A. Krause
Attorney for Applicants
Registration No. 24,613

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

FCHS_WS 1704675v1